



## Syria

### Country Reports on Human Rights Practices - [2004](#)

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Syria is a republic under an authoritarian regime with virtually absolute authority in the hands of the President. The President, with counsel from his ministers, senior members of the ruling Ba'th Party, and a small circle of security advisers, makes key decisions regarding foreign policy, national security, internal politics, and the economy. President Bashar al-Asad was confirmed by an unopposed referendum in July 2000 for a 7-year term. The President appoints vice presidents, the prime minister, deputy prime ministers, and the cabinet, or Council of Ministers. Ba'th Party leaders, whose primacy in state institutions and the Parliament is mandated by the Constitution, influence all three branches of the Government. The Parliament, elected in March 2003, may not initiate laws but only assess and, at times, modify those proposed by the executive branch. The Constitution provides for an independent judiciary; however, security courts were regularly subject to political influence. Political connections and bribery sometimes influenced verdicts in regular courts.

The powerful role of the security services, which extends beyond strictly security matters, is due to the state of emergency, which has been in place since 1963. The Government justifies ongoing martial law because of its state of war with Israel and past threats from terrorist groups. Syrian Military Intelligence and Air Force Intelligence are military agencies; the Ministry of Interior controls general security, state security, and political security. The branches of the security services operated independently of each other and outside the legal system. The Government maintained effective control of the security forces, and members of the security forces committed numerous, serious human rights abuses.

The country has a population of approximately 18 million and an economy based on commerce, agriculture, oil production, and services. A variety of factors hampered economic growth, including the dominant state role in the economy, a complex bureaucracy, security concerns, corruption, currency restrictions, a lack of modern financial services and communications, and a weak, corrupt legal system. Economic growth was estimated at less than 2.5 percent in the last year.

The Government's human rights record remained poor, and the Government continued to commit numerous, serious abuses. Citizens did not have the right to change their government. The Government prevented any organized political opposition, and there have been few antigovernment manifestations. Continuing serious abuses included the use of torture in detention, which at times resulted in death; poor prison conditions; arbitrary arrest and detention; prolonged detention without trial; fundamentally unfair trials in the security courts; and infringement on privacy rights. The Government significantly restricted freedom of speech and of the press. The Government also severely restricted freedom of assembly and association. The Government did not officially allow independent domestic human rights groups to exist. The Government placed some limits on freedom of religion and freedom of movement. Violence and societal discrimination against women were problems. The Government's discrimination against the stateless Kurdish minority resulted in a series of riots in March centered in the Hassakeh province which spread to other parts of the country during which more than 30 persons were reportedly killed by security forces and more than 1000 arrested. The Government also restricted worker rights.

## RESPECT FOR HUMAN RIGHTS

### Section 1 Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

According to Amnesty International (AI) and the Human Rights Association of Syria (HRAS), there were eight persons who died in detention due to torture or mistreatment by the security services during the year. Most of the cases involved Kurdish citizens detained and tortured in the wake of the riots in the Hassakeh province in March. In one case, Firas Abdallah, the household employee of a famous singer, died while in police custody in Damascus as a result of beatings. Human rights lawyers tried to bring a case against the police on behalf of the deceased, but the state prosecutor refused to accept it.

In March, security forces opened fire with live ammunition on Kurdish citizens during civil disturbances and demonstrations, killing 30 civilians in Hassakeh province on March 12 and between 5 to 8 Kurdish demonstrators in Aleppo on March 16 (see Section 5).

On April 8, media sources reported that Hussein Hamak Nasso, a 26-year-old Kurd, died after being tortured by security forces in the town of Afreen. Security forces reportedly then forced Nasso's family to secretly bury him in their presence.

On October 30, an off-duty Sunni military officer and his brother killed two Assyrian Christians in Hassakeh province. The conflict began when the military officer tried to extort money from one of the Assyrians. Some members of the Assyrian community violently protested the murders. In response, the government arrested 12 Assyrians. No charges were brought against the officer or his brother.

#### b. Disappearance

There were no confirmed reports of politically motivated disappearances; however, HRAS continued to report numerous cases of disappearance that occurred up to 20 years ago. Mohammed Fahed Al-Shaar was detained at Damascus airport in 1982; since then, the Government has not provided any information on his case. The Government frequently detained political prisoners and held them in long-term detention without informing the families of their situation (see Section 1.e.). For example, the family of a recently released prisoner had no knowledge about his well-being while he was in custody. Many persons who disappeared in the past were believed to have died or to be in long-term detention.

The Government has yet to punish any members of the security forces for their roles in these abductions and disappearances.

The Government continued to withhold new information on the welfare and whereabouts of persons who have been held incommunicado for years or about whom little is known other than the approximate date of their detention. Despite the Government's claim that it has released all Palestinians, Jordans, and Lebanese citizens reportedly abducted from Lebanon during and after its civil war, various nongovernmental organizations (NGOs) and family members of those who allegedly remain in prison continued to dispute the Government's claim (see Section 1.d.).

#### c. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices, and the Penal Code provides punishment for abusers. Under Article 28 of the Constitution, "no one may be tortured physically or mentally or treated in a humiliating manner." However, there was credible evidence that security forces continued to use torture frequently.

There were reports of death in prison due to torture (see Section 1.a.).

During the year, HRAS reported numerous cases of security forces using torture on prisoners in custody, including the case of five Kurdish students detained by the police in April and reportedly beaten and subjected to electric shocks for 3 days (see Section 5). The torture of political detainees was a common occurrence. AI reported the case of four young men arrested in April of 2003 in Daraa and held in Saidnaya prison where they were subjected to various forms of torture and ill-treatment, including having their fingers crushed; receiving beatings to their face and legs; having cold water thrown on them; being forced to stand for long periods of time during the night; hearing loud screams and beatings of other detainees; being stripped naked in front of others; and being prevented from praying and growing a beard.

Former prisoners and detainees, as well as the HRAS, reported that torture methods included administering electrical shocks; pulling out fingernails; forcing objects into the rectum; beating, sometimes while the victim was suspended from the ceiling; hyperextending the spine; bending the detainees into the frame of a wheel and whipping exposed body parts; and using a backward-bending chair to asphyxiate the victim or fracture the victim's spine. Torture was most likely to occur while detainees were being held at one of the many detention centers run by the various security services throughout the country, particularly while the authorities were attempting to extract a confession or information. For example, in July, a Syrian-Canadian citizen reportedly was tortured while being questioned by security services (see Section 1.e.).

Past victims of torture have identified the officials who tortured them, up to the level of brigadier general. If allegations of excessive force or physical abuse were to be made in court, the plaintiff was required to initiate his own civil suit against the alleged abuser. However, no action was taken against the accused. There were no examples of such allegations during the year. Courts did not order medical examinations for defendants who claimed that they were tortured (see Section 1.e.).

August 19 marked the Government's accession to the U.N. Convention against Torture, but the Government's reservation to Article 20 prevents outside observers from investigating torture within the country.

Prison conditions generally were poor and did not meet international standards for health and sanitation. At some prisons, security officials demanded bribes from family members. Overcrowding and the denial of food remained problems at several prisons. According to the Arab Organization for Human Rights (AOHR), Abdul Karim Dhaon, an official at the Ministry of Health, was arrested in May for allegedly writing a report about the unacceptable conditions at the prisons that he supervised. According to Human Rights Watch (HRW), prisoners and detainees were held without adequate medical care, and some prisoners with significant health problems reportedly were denied medical treatment. Some former detainees reported that the Government prohibited political prisoners from having access to reading materials, including the Koran.

There were separate detention facilities for men, women, and children. But there were at least three reported cases where minors were arrested and held in adult prisons. Pretrial detainees, particularly those held for political or security reasons, were usually held separately from convicted prisoners. Facilities for political or national security prisoners generally were worse than those for common criminals. Released political detainees have reported inadequate prison conditions, including overcrowded cells and a shortage of beds.

The Government did not permit independent monitoring of prison or detention center conditions; however, diplomatic or consular officials were granted access in some cases. The International Committee of the Red Cross (ICRC) is not allowed to make prison visits to assess the situation of the prisons or prisoners.

#### d. Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest and detention; however, in practice, these activities persisted and remained significant problems.

The Ministry of Interior controlled the police forces, which consist of four separate divisions: emergency police; local neighborhood police; riot police; and traffic police. The emergency division responds to 911 calls and operates through roving patrols. The local neighborhood police are responsible for general security in the neighborhood they patrol and respond to non-emergency situations. The Government uses the riot police to break up demonstrations and marches.

There are four major branches of security: Political Security Directorate (PSD); Syrian Military Intelligence (SMI); General Intelligence Directorate (GID); and Air Force Security (AFS), all of which devote some of their overlapping resources to monitoring internal dissent and individual citizens. Only PSD, supervised by the Ministry of Interior, is under civilian control. The four branches operate independently and generally outside of the control of the legal system.

Corruption continued to be a serious problem throughout the police forces and security services. International and regional human rights groups continue to consider the police forces corrupt.

The arrest procedure for non-emergency cases is similar to the process in Western countries. After being arrested, an individual is brought to the police station for processing and detained until a trial date is set. At this time, the accused may retain an attorney at personal expense or that of the Government. The individual will then be tried in a civil court, where a judge will render a verdict (see Section 1.e.).

The 1963 Emergency Law authorizes the Government to conduct preventive arrests and overrides Constitutional and Penal Code provisions against arbitrary arrest and detention, including the need to obtain warrants. In cases involving political or national security offenses, arrests were often carried out in secret. Suspects could be detained incommunicado for prolonged periods without charge or trial and denied the right to a judicial determination regarding pretrial detention. Additionally, those suspected of political or national security offenses could be arrested and prosecuted under ambiguous and broad articles of the Penal Code and subsequently tried in either the criminal or security courts. There were reliable reports that the Government did not notify foreign governments when their citizens were arrested or detained or did so only after the prisoner was released.

Warrants only exist for non-security cases; however, police bypass this requirement in many instances by claiming security or emergency grounds for entry.

During the year, the security forces again conducted mass arrests of suspected Islamists: 25 in Hama; 18 in Hayaleen; 19 in Qatana; and an unknown number in Damascus and Aleppo. In March, the Supreme State Security Court (SSSC) sentenced 33 persons to 2 years in prison who had been arrested in Aleppo in August 2003 and accused of belonging to the Muslim Brotherhood. The suspects remained in detention at year's end.

In April, military security arrested the human rights activist Aktham Naiissa, head of the Committee for the Defense of Democracy, Freedom, and Human Rights (CDF), for his involvement in a protest in front of the Parliament in March and for communiqués issued by the CDF critical of the Government's treatment of the Kurdish minority (see Section 2.b.). Naiissa was held at Saidnaya prison without access to his lawyer and was tried by the SSSC; he was released on bail in August. His trial has been postponed twice, and it is now scheduled for April 4, 2005.

Throughout the year, the security services also conducted mass arrests of Kurds in Hassakeh province, Aleppo, Damascus, and other areas. Human rights organizations and Kurdish groups reported that 1,000-2,000 Kurds were detained in the aftermath of the March riots. Most were freed after a few months detention; however, 200-300 Kurds remain in custody and are awaiting trial at the SSSC and military courts (see Section 4).

Media sources reported that in April, security forces increasingly staged nighttime raids on Kurdish homes in Hassakeh province and arbitrarily arrested male members of households. Press reports also stated that on April 8, following a dispute between Kurdish children and Arab students at a school in Qamishli, security forces took four school children, ages 12 and 13, from the school during the day and transferred them to a prison in Hassakeh. At year's end, the children were reportedly still detained.

On August 5, five persons were injured and 18 others arrested in a village outside of Hama after security services, while apparently pursuing a criminal, sparked and then broke up a protest against the Ba'th Party. There were conflicting accounts of the story. Human rights groups claimed the security services randomly fired on a group of persons as they watched the police chase an alleged member of a banned Islamic Party. Police claimed they were chasing the suspect when he went into a home and received refuge from the owners. The owners of the house refused to turn the man over to police, and there was an ensuing gun battle between the two sides. On August 7-8, according to regional press reports and HRAS, security agents arrested 25 persons, including four Muslim imams, in house raids around the city of Hama, seizing books, CDs, and computer equipment in connection with this incident.

Detainees have no legal redress for false arrest. The authorities detained those critical of the Government under the Emergency Law and charged them with treason.

In cases before the regular courts, judges render verdicts. There are no juries.

Defendants in civil and criminal trials have the right to bail hearings and possible release from detention on their own recognizance. Bail was generally not allowed for those accused of "state security offenses." The only exception to this was the release from the SSSC of Aktham Naiissa in August on bail. Unlike defendants in regular criminal and civil cases, security detainees did not have access to lawyers prior to or during questioning.

Lawyers were not ensured access to their clients before the trial (see Section 1.e.).

Many persons who have disappeared in past years were believed to be in long-term detention without charge or possibly to have died in detention. Many detainees brought to trial have been held incommunicado for years, and their trials often were unfair. Many criminal suspects were held in pretrial detention for months and may have had their trials extended for additional months. Lengthy pretrial detention and protracted court proceedings were caused by a shortage of available courts and the absence of legal provisions for a speedy trial or plea-bargaining (see Section 1.e.).

The Government continued threatening or detaining the relatives of detainees or of fugitives to obtain confessions, to minimize outside interference, or to prompt the fugitive's surrender. There were reports that security personnel forced prisoners to watch relatives being tortured in order to extract confessions. According to AI and the HRAS, security forces also detained family members of suspected oppositionists (see Section 1.f.).

The Government, through its security services, also threatened families or friends of detainees to ensure their silence, to force them to disavow publicly their relatives, or to force detainees into compliance. For example, the family of a human rights activist received numerous calls from security service personnel alleging misconduct and inappropriate social behavior by the activist. These calls continued during the year and became increasingly threatening.

The number of remaining political detainees was unknown. AI's 2003 report stated that 800 political detainees were held in Saidnaya prison and that hundreds of others were held in other prisons. There also were Jordanian, Lebanese, and Palestinian political detainees. Estimates of detainees were difficult to confirm because the branches of the security services, which maintain their own prison facilities, hold a large number of prisoners. These prisoners are frequently held for extended periods of time without trial and without information given to their families. Estimates were also difficult to confirm because the Government did not verify publicly the number of detentions without charge, the release of detainees or amnestied prisoners, or whether detainees subsequently were sentenced to prison (see Section 1.e.).

Former prisoners were subject to a so-called "rights ban," which begins from the day of sentencing and lasts for 7 years after the expiration of the sentence, in the case of felony convictions. Persons subjected to this ban were not allowed to vote, run for office, or work in the public sector; they often also were denied passports. In practice, restrictions may continue beyond that period.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the Supreme State Security Court (SSSC), in dealing with cases of alleged national security violations, was not independent of executive branch control. Political connections and bribery sometimes influenced verdicts in regular courts.

The judicial system is composed of the civil and criminal courts, military courts, the SSSC, and religious courts, which adjudicate matters of personal status such as divorce and inheritance (see Section 5). The Court of Cassation is the highest court of appeal. The Supreme Constitutional Court rules on the constitutionality of laws and decrees; however, it does not hear appeals.

Civil and criminal courts are organized under the Ministry of Justice. Defendants before these courts are entitled to the legal representation of their choice; the courts appoint lawyers for indigents. Defendants are presumed innocent, and they are allowed to present evidence and to confront their accusers. Trials are public, except for those involving juveniles or sex offenses. Defendants can appeal their verdicts to a provincial appeals court and ultimately to the Court of Cassation. Such appeals were often difficult to win because the courts do not provide verbatim transcripts of cases—only summaries prepared by the presiding judges. There are no juries.

Military courts have the authority to try civilians as well as military personnel. A military prosecutor decides the venue for a civilian defendant. There have been reports that the Government operated military field courts in locations outside established courtrooms. Such courts reportedly observed fewer of the formal procedures of regular military courts. Amnesty International reported that in April a secret field military court sentenced Muhammed Shehada and Mutaz Murad to 3 years in prison and Haythem Al Hawmi and Yahy Sharabajee to 4 years for "attempting to establish a religious organization, involvement in unlicensed social activities and attending unlicensed religious and intellectual classes." The men were arrested in May 2003 in the town of Darya and reportedly were not represented by a lawyer.

On April 1, after excessive delay, the military court of Aleppo sentenced 13 persons to 3 months in prison and another man to 1 year in prison for attending an unlicensed lecture on the Emergency Law in August 2003. The "Aleppo 14," as the group had become known, had originally been arrested for "belonging to a secret society" and for "conspiring against the Syrian nation" (see Section 2.b.). All 14 men were released in June.

The trial of the "Dumar 15", a group of 15 Kurdish men who were arrested in the aftermath of riots in the Dumar neighborhood of Damascus in March, has been delayed four times since it began in August.

HRAS estimated there were 160 Kurdish citizens awaiting trial in the Military Court of Damascus for their alleged role in rioting in Damascus following the troubles in Hassakeh in March. At year's end, they were still awaiting trial.

The SSSC tried political and national security cases and operated under the provisions of the Emergency Law. The SSSC did not observe the constitutional provisions safeguarding defendants' rights. The Emergency Law and the Penal Code are so broad and vague, and the Government's powers so sweeping, that many persons have been convicted and many remain in prison for the mere expression of political opposition to the Government. In April 2001, the U.N. Commission on Human Rights stated that the procedures of the SSSC are incompatible with the provisions of the International Covenant on Civil and Political Rights, to which the country is a party.

Charges against defendants before the SSSC were vague. Defendants appeared to be tried for exercising normal political rights, such as free speech. For example, the Emergency Law authorizes the prosecution of anyone "opposing the goals of the revolution," "shaking the confidence of the masses in the aims of the revolution," or attempting to "change the economic or social structure of the State." The Government stated that the SSSC tries only persons who have sought to use violence against the State, but the majority of defendants who appeared before the SSSC this year were prosecuted for exercising their political rights.

Under SSSC procedures, defendants were not present during the preliminary or investigative phase of the trial, during which the prosecutor presents evidence. Trials usually were closed to the public. Lawyers were not ensured access to their clients before the trial and were excluded from the court during their client's initial interrogation by the prosecutor. Lawyers submitted written defense pleas rather than making oral presentations.

During the year, there was one case in which a lawyer representing defendants in a national security case had his license to practice law suspended. The Government's case was based on confessions, and the defendants were not allowed to argue that their confessions were coerced.

On July 11, the SSSC acquitted for lack of evidence a Syrian-Canadian citizen arrested in 2002 when he returned home to Syria to visit his family. The individual was charged with belonging to a religious group and was reportedly tortured while in detention (see Section 1.c.).

Defendants did not have the right to appeal verdicts, but the Minister of Interior, who may ratify, nullify, or alter them, reviews sentences. The President also may intervene in the review process.

Accurate information regarding the number of cases heard by the SSSC was difficult to obtain, although hundreds of cases were believed to pass through the court annually. Many cases reportedly involved charges relating to membership in various banned political groups, including religious parties such as the Muslim Brotherhood, the Islamic Liberation Party, the Party of Communist Action, Syrian Kurdish Parties and the pro-Iraqi wing of the Ba'th Party. Sentences as long as 15 years have been imposed in the past. Human rights NGOs were not permitted to visit the SSSC; however, local lawyers affiliated with local NGOs acted as defense counsel in some cases (see Section 4).

On February 14, the Government issued Legislative Decree 16 abolishing the Economic Security Courts. These courts, established in 1977, focused on economic crimes, particularly those involving the illegal possession or exchange of foreign currency and violations of the country's once highly restrictive import regulations. Economic crimes are now adjudicated in the regular courts.

The exact number of political prisoners was unknown. HRAS estimated there were approximately 550 political prisoners held in Saidnaya prison and up to several thousand more political prisoners held in other prisons throughout the country. These estimates may partially overlap with the reported number of political detainees (see Section 1.d.). The Government did not permit regular access to political prisoners by international humanitarian organizations. HRAS reported that more than 80 percent of political prisoners serving long-term sentences remained in prison, despite the expiration of their sentences.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions; however, the Emergency Law authorizes the security services to enter homes and conduct searches without warrants if broadly defined security matters are involved. The security services selectively monitored telephone conversations and fax transmissions. The Government opened mail destined for both citizens and foreign residents. The Government routinely monitored Internet communications, including e-mail, and blocked access to some internet sites (see Section 2.a.). A new regional satellite company provided internet access via satellite, beyond the control of the Government.

The Government detained relatives of detainees or of fugitives to obtain confessions or the fugitive's surrender (see Section 1.d.).

In the past, the Government and the Ba'th Party monitored and attempted to restrict some citizens' visits to foreign embassies and cultural centers. In June, the SSSC sentenced three individuals to prison terms ranging from 6 months to 1 year for allegedly giving false information to a diplomatic mission in Damascus.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and the press; however, the Government significantly restricted these rights in practice. The Government strictly controlled the dissemination of information and prohibited written or oral criticism of the Government. The Government also prohibited discussion of sectarian issues. There were detentions and beatings for individual expressions of opinion that violated these unwritten rules. The Government also threatened activists in an attempt to control behavior. Journalists and writers practiced self-censorship. The Minister of Information, Dr. Mahdi Dakhllallah, has taken steps to allow more freedom of the press. For example, in December the Ministry of Information recommended the licensing of an independent association of journalists (see Section 2.b.).

A number of independent periodicals were published during the year, including the National Progressive Front's (NPF) Communist Party newspaper, *The People's Voice*; the NPF's Union Socialist Party's private newspaper, *The Unionist*; a private satirical weekly newspaper, *Black and White*; and *The Economist*, which was critical of government performance. In July 2003, the Ministry of Information closed the *Lamplighter*, a satirical weekly. Later in 2003, one of the *Lamplighter's* former editors began publication of the *Wasp*, a social satirical weekly magazine.

The print and electronic media at times were critical of the Ba'th Party and government performance and reported openly on a range of social and economic issues. In March, a journalist for the government-owned daily, *The Revolution*, was fired over an article he wrote on pollution in the drinking water in Hassakeh province. The journalist was later reinstated after a campaign by *The Economist* magazine. Some Damascus-based correspondents for regional Arab media were able to file reports on internal political issues, such as rumored governmental changes, new political discussion groups, and the possible introduction of new parties to the NPF.

The media continued to broaden their reporting on regional developments, including the Middle East peace process. The media covered some peace process events factually, but others were reported selectively to support official views. The government-controlled press increased its coverage of official corruption and governmental inefficiency. A few privately owned newspapers published during the year, and foreign-owned, foreign-published newspapers continued to circulate relatively freely.

The Government or the Ba'th Party owned and operated the radio and television companies and most of the newspaper publishing houses. The Ministry of Information closely monitored radio and television news programs to ensure adherence to government policies. The Government did not interfere with broadcasts from abroad. Satellite dishes were widely used and available.

The Emergency Law and Penal Code articles dealing with crimes against state security allowed the Government broad discretion in determining what constitutes illegal expression. The Emergency Law prohibits the publication of "false information" which opposes "the goals of the revolution" (see Section 1.e.). Penal Code articles prohibit acts or speech inciting confessionalism.

The 2001 Publications Law permits the reestablishment of publications that were circulated prior to 1963 and establishes a framework in which the National Progressive Front (NPF), as well as other approved private individuals and organizations, would be permitted to publish their own newspapers. However, the law also stipulates imprisonment and stiff financial penalties as part of broad, vague provisions prohibiting the publication of "inaccurate" information, particularly if it "causes public unrest, disturbs international relations, violates the dignity of the state or national unity, affects the morale of the armed forces, or inflicts harm on the national economy and the safety of the monetary system." Persons found guilty of publishing such information were subject to prison terms ranging from 1 to 3 years and fines ranging from 500,000 to 1 million pounds (\$10,000 to \$20,000). The amendments to the Publications Law also impose strict punishments on reporters who do not reveal their government sources in response to government requests.

The Government imprisoned journalists for failing to observe press restrictions. In 2002, the Government arrested journalist Ibrahim Hamidi on charges of "publishing unfounded news" in violation of the Publications Law. This "unfounded news" was believed to be an article in the London-based al-Hayat discussing the Government's contingency planning for possible hostilities in Iraq. Hamidi was jailed for 5 months and released on bail on May 25, although his trial before the SSSC continues to be delayed.

In June, the SSSC sentenced Abdel Rahman Al Shaghuri to 2½ years in prison for emailing a newsletter from the banned website Levant News. In July, the SSSC sentenced 3 persons accused of revealing state secrets to sentences of 2-4 years for their role in publishing an article in an Emirates-based electronic journal.

The Government restricted all Kurdish language publications and arrested journalists who wrote in favor of greater Kurdish rights. The trial of journalist and student Massud Hamid, arrested in July 2003 for posting a picture of the June 2003 Kurdish UNICEF protest on a banned website, continued.

On August 29, the SSSC sentenced Ferhat Abdalrahman and Ibrahim Nassam to 3 years in prison. Abdalrahman was charged with writing articles in Lebanon for an unlicensed Kurdish Party publication; Nassam was charged with presenting a petition to the Government for greater political freedom for the Kurds. In March, Muhammad Ghanem was arrested reportedly for articles he had written in Emirates-based dailies on the problems in Hassakeh Province.

In November, citizen journalist Louai Hussein was ordered by the Interior Ministry to stop writing. Two state-security officials came to his home in the northern coastal city of Latakia and delivered a written order from the Interior Ministry's political-security office banning him from writing. The Government did not give a reason for the ban, although it informed him 2 weeks later that he could write again.

On December 2, Syrian-Kurdish journalist Taha Hamed was arrested for writing a number of articles abroad which were critical of the Government's relationship with the Kurds. Hamed was released a week later.

The Ministry of Information and the Ministry of Culture and National Guidance censored domestic and imported foreign press. Publication or distribution of any material deemed by security officials as threatening or embarrassing to high levels of the Government was prohibited. Censorship usually was stricter for materials in Arabic.

The Ministry of Culture and National Guidance also censored fiction and nonfiction works, including films. It also approved films shown at the cultural centers operated by foreign embassies. The Government prohibited the publication of books and other materials in Kurdish; however, there were credible reports that Kurdish language materials were available in the country (see Section 5).

Internet and e-mail access was limited but growing. The Government blocked access to selected Internet sites that contained information deemed politically sensitive or pornographic in nature. The Government banned access to two Kurdish websites, to foreign-based websites of unlicensed opposition parties, and to news websites critical of the Government.

The Government restricted academic freedom. Public school teachers were not permitted to express ideas contrary to government policy; however, authorities permitted somewhat greater freedom of expression at the university level. The Government continued its policy of only allowing Ba'th Party members to study political science at Damascus University. Ba'th Party members were also given preferential admissions treatment into the university.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right of assembly; however, the Government did not respect this right in practice. Citizens could hold demonstrations if the Ministry of Interior granted permission; however, the Government or the Ba'th Party organized most public demonstrations and selectively permitted some demonstrations, usually for political reasons. The Government also applied the restrictions on public assembly in Palestinian refugee camps, where only controlled demonstrations were allowed.

In December 2003, the Government permitted a protest on International Human Rights Day, the first human rights demonstration ever approved.

The Government required political forums and discussion groups to obtain prior approval to hold lectures and seminars and to submit lists of all attendees. Despite these restrictions several domestic human rights and civil society groups held meetings without registering with the Government or obtaining prior approval for the meetings. However, in August 2003, the Government arrested and later released 21 persons in Aleppo for attempting to attend an unapproved lecture marking the 40th anniversary of the declaration of the Emergency Law. Fourteen persons, who came to be known internationally as the "Aleppo 14," were subsequently charged with "belonging to a clandestine organization" and "undertaking acts of incitement." In April, the Military Court of Aleppo sentenced them to terms ranging from 3 months to 1 year (see Section 1.e.).

There were numerous demonstrations during the year, most of which were permitted or organized by the Government to protest

Israeli treatment of Palestinians and U.S. policies in Iraq. There were also several demonstrations during the year by human rights activists, which were not government-supported.

On February 25, security forces detained 10 students at the University of Aleppo for protesting Decree #6 which ended the Government's policy of guarantying employment to all engineering graduates. Eight of the students were released the following month; however, dozens of students were expelled from university for their participation. At year's end, two of the students, Mohammed Al Arab and Muhammed Al Debs, remain in detention with a case pending before the SSSC. The trial of the two students is expected to resume on March 6, 2005.

On March 8, the CDF, led by Aktham Naiissa, protested in front of Parliament, calling for the repeal of the Emergency Law and greater political freedoms. Security forces detained 104 persons, including a foreign citizen, a foreign diplomatic observer, and international journalists, all of whom were released the same day.

On June 21, human rights and civil society groups attempted to hold a demonstration in a central square of Damascus to commemorate the anniversary of the longest held political prisoner in the country. More than 500 riot police deployed in the square, preventing the demonstration. Security forces beat 10 persons and briefly detained 8 demonstrators.

On December 8, the International Human Rights Day protest by Kurds and human rights activists was organized without government approval. Government security forces intervened forcibly to prevent protesters from reaching the intended protest site.

In June 2003, the security forces forcibly broke up a demonstration by Kurdish school children and arrested eight of the adults accompanying them. In June 2004, the SSSC sentenced seven of these Kurdish activists to prison terms of 1 to 2 years. The eighth detainee was released without any charges being brought against him.

In 2002, the Government permitted a demonstration by the Kurdish Yekiti party in front of Parliament, but 2 days later it arrested 2 of the organizers. In January 2003, the SSSC tried these two organizers for belonging to an illegal organization and for conspiring to annex part of the country's territory to another state. The SSSC sentenced the men to 3 years in prison, then reduced their sentences to 14 months and released them on February 22, 2004 for time-served.

The Constitution permits private associations, but it also grants the Government the right to limit their activities. In practice, the Government restricted freedom of association. Private associations are required to register with authorities, and requests for registration are usually denied, presumably on political grounds. The Government usually granted registration to groups not engaged in political or other activities deemed sensitive.

In August, the Government denied registration to the Arab Organization for Human Rights (AOHR); in November, the Government also denied registration to the Syrian Human Rights Organization (also known as SWASIAH, or "equal"). The CDF and HRAS were both denied registration in the past, and both organizations operate without government permission or support.

The Government did not permit the establishment of independent political parties (see Section 3).

In 2002, the Government sentenced 10 human rights activists, who had called for the expansion of civil liberties and organized public dialogue, to lengthy prison terms for crimes against state security. Two of these activists were released in September after completing their prison sentence. Six activists remained in prison on longer sentences (see Sections 1.d. and 2.a.).

In December, the Ministry of Information recommended the licensing of an independent association of citizen journalists who report for regional Arab media, according to press reports. The 5-year effort by journalists to form the association had long been blocked by the Government (see Section 2.a.). No license has yet been issued.

The executive boards of professional associations were not independent. Members of the Ba'th Party generally led the associations; however, nonparty members could serve on their executive boards.

### c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, it imposed restrictions in some areas. The Constitution requires that the President be a Muslim. There is no official state religion. Sunni Muslims constituted the majority of the population.

All religions and religious orders must register with the Government, which monitored fundraising and required permits for all meetings by religious groups, except for worship. There was a strict separation of religious institutions and the State. Religious groups tended to avoid any involvement in internal political affairs. The Government, in turn, generally refrained from involvement in strictly religious issues. The Government approves all textbooks, which present religion as a way to foster national unity and tolerance.



The Government considered militant Islam a threat and followed closely the practice of its adherents. The Government allowed many new mosques to be built; however, sermons were monitored and controlled.

HRAS reported three large-scale arrests of suspected Islamists during the year (see Section 1.d.).

All schools are government-managed and nonsectarian; however, Christian and Druze minorities operate some schools. There was mandatory religious instruction in schools, with government-approved teachers and curriculums. Religion courses were divided into separate classes for Muslim, and Christian students. Although Arabic is the official language in public schools, the Government permitted the teaching of Armenian, Hebrew, Syriac (Aramaic), and Chaldean as "liturgical languages."

Muslims and Christians are subject to their respective religious laws on marriage, divorce, child custody, and inheritance (see Section 5).

Although the law does not prohibit proselytizing, in practice, the Government discouraged such activity, particularly when it was deemed a threat to the relations among religious groups. Foreign missionaries were present, but operated discreetly.

Government officials occasionally used radio, television programming, news articles, and other mass media to condone anti-Semitic material, and, in some instances, to support its export. The Government tightly controlled the press, which regularly published anti-Israeli articles.

In 2003, a private Syrian film company also produced an anti-Semitic television series, *Ash-Shatat* ("The Diaspora"), and filmed it inside the country. The theme of this program centered on the alleged conspiracy of the "Elders of Zion" to orchestrate both world wars and manipulate world markets to create Israel. Although national television declined to air the program, it was shown on the Lebanese satellite television station Al-Manar. The closing credits of the programs give "special thanks" to various government ministries, including the security ministry, the culture ministry, the Damascus Police Command, and the Department of Antiquities and Museums.

The Government barred the approximately 85 Jewish citizens in the country from government employment and exempted them from military service obligations. Jews also were the only religious minority group whose passports and identity cards noted their religion. Jewish citizens must obtain permission from the security services before traveling abroad and must submit a list of possessions to ensure their return to the country. Jews also faced extra scrutiny from the Government when applying for licenses, deeds, or other government papers. The Government applied a law against exporting any of the country's historical and cultural treasures to prohibit the Jewish community from sending historical Torahs abroad.

In 1964, the Government banned Jehovah's Witnesses as a "politically motivated Zionist organization"; however, members of Jehovah's Witnesses have continued to practice their faith privately, despite the official ban.

The Constitution prohibits sectarianism although it specifies that the President be a Muslim; however, in the case of Alawis, religious affiliation facilitated access to influential and sensitive posts.

For a more detailed discussion, see the [2004 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2004/41732.htm).

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for the right of free movement "within the territories of the state unless restricted by a judicial decision or by the implementation of laws"; however, the Government limited freedom of movement in practice. Travel to Israel is illegal, and the Government restricted travel near the Golan Heights. The Government also denied human rights activists, leaders of opposition groups, and other individuals permission to travel abroad, although government officials continued to deny that this practice occurred. Government authorities could prosecute any person found attempting to emigrate or to travel abroad illegally, any person who was deported from another country, or anyone who was suspected of having visited Israel.

Women over the age of 18 have the legal right to travel without the permission of male relatives; however, a husband or a father could file a request with the Ministry of Interior to prohibit his wife or daughter's departure from the country (see Section 5).

The Government maintained security checkpoints, primarily in military and other restricted areas. There were few police checkpoints on main roads or in populated areas. The security services used checkpoints to conduct warrantless searches for smuggled goods, weapons, narcotics, and subversive literature.

The Government has refused to recognize the citizenship of or grant identity documents to some persons of Kurdish descent. Lack of citizenship or identity documents restricted their travel to and from the country (see Section 5). Émigrés who did not complete mandatory military service could pay a fee to avoid conscription while visiting the country. During the year, some persons were imprisoned for refusing to pay the fee.

Citizens of Arab League countries were able to enter the country without a visa for a stay of up to 3 months, a period that is

renewable by application to government authorities. Residency permits required proof of employment and a fixed address in the country.

The Constitution prohibits forced exile, and there were no reports of forced exile during the year.

The Government is not a party to either the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. The General Authority of Palestinian Arabs Refugees in Syria (GAPAR) is the government agency established to coordinate assistance and protection to refugees, over 400,000 of whom are Palestinians living in 10 official camps and assisted by the U.N. Relief and Works Agency for Palestine Refugees. The Government cooperated on a case-by-case basis with the office of the U.N. High Commissioner for Refugees (UNHCR). The Government continued to provide asylum seekers and refugees under UNHCR protection temporary permission to stay, but remained selective about extending protection to other refugees. Iraqis were granted temporary protection by the Government, and approximately 14,500 Iraqis registered with UNHCR. There are estimates that between 60,000 to a few hundred thousand Iraqis are living in the country.

Although the Government denied that it forcibly repatriated persons with valid claims to refugee status, UNHCR reported that some Iraqis were deported during the year. UNHCR has not taken part in any organized repatriations to Iraq since the withdrawal of UNCHR and other U.N. international staff from Iraq in 2003.

As of June, 415,000 Palestinian refugees were registered with the U.N. Relief and Works Agency (UNRWA) in the country. Unlike in previous years, Palestinian refugees with Syrian travel documents generally reported less difficulty with traveling in and out of the country. The Government restricted entry by Palestinians who were not resident in the country.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution requires that the President be elected by referendum, and the Parliament selects candidates at the discretion of the regional Ba'th party leadership. Although citizens vote for the President and Members of Parliament (M.P.s), in practice they did not have the right to change their government. In July 2000, Bashar al-Asad was confirmed as President by an unopposed referendum for a 7-year term. Citizens are required by law to vote; however, the percentage of women and minorities that voted is unknown.

The President appoints the vice presidents, the prime minister, deputy prime ministers, and the Cabinet, and he has the discretion to change these appointments at will. The President and his senior aides, particularly those in the military and security services, made most political and economic decisions, with a very limited degree of public accountability.

Political opposition to the President and the ruling Ba'th Party was vigorously suppressed. The Constitution provides that the Ba'th Party is the ruling party and is ensured a majority in all government and popular associations, such as workers' and women's groups. The Ba'th Party and eight other smaller political parties comprise the National Progressive Front (NPF), originally established in 1971. The NPF represented the only framework for legal political party participation for citizens; however, it remains dominated by the Ba'th Party and does not change the one-party character of the political system. Besides the Ba'th, the other political parties of the NPF existed largely in name only and conformed strictly to Ba'th Party and government policies. In April 2003, the Arab Democratic Union joined the NPF, making it a nine-party organization.

The Ba'th Party dominated the 250-member Parliament, or People's Council. Parliamentarians could criticize policies and modify draft laws; however, the executive branch retained ultimate control over the legislative process. Elections for all 250 seats in the People's Council took place in March 2003. The election could not be characterized as free and fair because the majority of the seats in Parliament were reserved for members of the ruling NPF, ensuring a permanent absolute majority for the Ba'th Party as guaranteed by the Constitution. The Government allowed independent non-NPF candidates to run for just 83 seats, and it approved all candidates for 4-year terms.

In 2002, the Government sentenced independent M.P.s Ma'mun Humsi and Riad Seif to 5-year prison terms for calling on the Government to allow independent political parties to participate in government. At year's end, the men remained in prison.

There were reports of corruption in the legislative and executive branches of the Government.

There are no laws providing for public access to government information.

Women and minorities, with the exception of the Jewish population and stateless Kurds (see Section 5), participated in the political system without restriction. There were 2 female cabinet ministers, and 30 of the 250 M.P.s were women.

The Government did not provide figures on the ethnic or religious composition of Parliament or the Cabinet; however, there was one M.P. representing the Kurdish Progressive Democratic Party and one M.P. representing the Democratic Assyrian Organization.

In February, the Committee of the Defense of Democratic Liberties and Human Rights in Syria (CDF) attempted to petition President Asad to end the 40-year old Emergency Law and allow greater political freedoms. The attempt was unsuccessful.

In June, the Government banned all political activities by the 11 Syrian Kurdish parties.

#### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government did not allow domestic human rights groups to exist legally. In the past, human rights groups operated legally but ultimately were banned by the Government. In August, the Government denied registration to the Arab Organization for Human Rights (AOHR); in November, the Government also denied registration to SWASIAH. CDF and HRAS were both denied registration in the past and operate illegally. HRAS continued to operate in a limited capacity (see Section 2.b.).

In April, CDF published its 2003 Human Rights Report, which was highly critical of the Government. The Government responded by arresting the president of the group, Aktham Naiissa (see Section 1.d.).

In 2002, the Government sentenced 10 human rights activists to lengthy prison sentences, stifling the activities of human rights activists and organizations. All of the individuals remained in detention at year's end.

In recent years, the Government has met only twice with international human rights organizations: Human Rights Watch in 1995 and Amnesty International in 1997. As a matter of policy, the Government has denied to international human rights groups that it commits human rights abuses. The Government has also stated that it responds in writing to all inquiries from NGOs regarding human rights issues, including the cases of individual detainees and prisoners, through an interagency governmental committee attached to the Ministry of Social Affairs and Labor. However, NGOs have reported that they usually heard nothing from the Ministry. The Government usually responded to queries from human rights organizations and foreign embassies regarding specific cases by claiming that the prisoner in question violated national security laws.

#### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution provides for equal rights and equal opportunity for all citizens, and discrimination based on race, sex, disability, language, or social status is prohibited; however, membership in the Ba'th Party or close familial relations with a prominent party member or powerful government official can help economic, social, or educational advancement. Party or government connections paved the way for entrance into better elementary and secondary schools, access to lucrative employment, and greater power within the Government, the military, and the security services. Certain prominent positions, such as that of provincial governor, were reserved solely for Ba'th Party members. There was some governmental and societal discrimination against Jews (see Section 2.c.) and stateless Kurds.

##### Women

Violence against women occurred, but there were no reliable statistics regarding the prevalence of domestic violence or sexual assault. The vast majority of cases were likely unreported, and victims generally were reluctant to seek assistance outside the family. Battered women have the legal right to seek redress in court, but few did so because of the social stigma attached to such action. The Syrian Women's Federation offered counseling services to battered wives to remedy individual family problems. The Syrian Family Planning Association also provided counseling in an effort to address this problem. Some private groups, including the Family Planning Association, organized seminars on violence against women, which were reported by government press. There were a few private, unofficial, specifically designated shelters or safe havens for battered women who fled or sought to flee their husbands. In December, representatives of all government agencies were required to attend a gender issues training seminar with representatives of domestic women's NGOs.

In July, the Government instituted the Syrian Agency for Family Affairs, which reports directly to the Prime Minister and is responsible for reviewing the legal and social status of women and children, and networking with NGOs that provide services to women and children.

Rape is a felony; however, there are no laws against spousal rape. According to Article 489 of Criminal Law, "The punishment for a man who rapes woman (other than his wife) is at least 15 years in prison." However, if the individual who commits the crime agrees to marry the victim, he faces no punishment. The victim's family sometimes agrees to this arrangement to avoid the social scandal and stigma attached to such a crime. If the victim is too young for marriage then the rapist will receive a longer sentence. No statistics are kept on spousal rape because it is not a crime under the Criminal Law.

The law specifically provides for reduced sentences in "honor" crimes, which are violent assaults by a male against a female, usually a family member, with intent to kill for alleged sexual misconduct. Instances of honor crimes are rare and occurred primarily in rural areas in which Bedouin customs prevail. There were no cases reported during the year.

The law prohibits prostitution, and it was not a widespread problem.

The law prohibits sexual harassment and specifies different punishments depending on whether the victim is a minor or an adult. Sexual harassment was rarely reported.

The Constitution provides for equality between men and women and equal pay for equal work. Moreover, the Government has sought to overcome traditional discriminatory attitudes toward women and encouraged women's education by ensuring equal access to educational institutions, including universities. However, the Government has not changed personal status, retirement, or social security laws that discriminate against women. In addition, some secular laws discriminate against women. For example, under criminal law, if a man and woman separately commit the same criminal act of adultery, the woman's punishment is double that of the man's.

Christians, Muslims, and other religious groups are subject to their respective religious laws on personal status issues of marriage, divorce, and inheritance. For Muslims, personal status law is based on the Government's interpretation and application of Shari'a (Islamic law). This interpretation discriminates against Muslim women.

Husbands and wives can claim adultery as grounds for divorce; however, criminal law discriminates against women in this regard. A man can only be accused of adultery if his actions occur in the home which he shares with his wife; a woman can be accused of adultery regardless of venue. Also, any evidence a man presents when claiming adultery is accepted by a court of law; if a woman attempts to file for divorce based on adultery, her husband must admit to the crime or there must be a third witness to the act. There have been no reported cases where a woman successfully filed for divorce based on adultery.

A divorced woman might not be entitled to alimony in some cases, particularly if she gave up her right to it in order to persuade her husband to agree to the divorce.

Regardless of divorce or other circumstances, the law provides that a child is entitled to a minimum of 1,000 Syrian pounds (\$20) per year of financial support. Courts calculate child alimony above this amount according to the income of the father. However, it is incumbent upon the mother requesting the alimony to prove the father's income, and the father is under no obligation to provide that information.

In addition, under the Personal Status Law modified in October 2003, a divorced mother loses the right to physical custody of her sons when they reach age of 13 and of her daughters at age 15. Guardianship, or control over exercise of the legal rights of the children, always remains with the paternal side of the family.

Inheritance for Muslims also is based on the Government's interpretation of Shari'a. Accordingly, Muslim women usually were granted half of the inheritance share of male heirs. However, male heirs must provide financial support to the female relatives who inherit less. If they do not, females have the right to sue.

Polygyny is legal but was practiced only by a small number of Muslim men.

A husband may request that his wife's travel abroad be prohibited (see Section 2.d.).

Women participated actively in public life and were represented in most professions, including the armed forces. Women were not impeded from owning or managing land or other real property. Women constituted approximately 13 percent of judges, 15 percent of lawyers, 57 percent of teachers below university level, and 20 percent of university professors.

#### Children

The law emphasizes the need to protect children, and the Government organized seminars regarding the subject of child welfare. During the year, some of these seminars were organized in cooperation with the local UNICEF office.

The Government provided free, public education to citizen children from primary school through university. Education is compulsory for all children, male and female, between the ages of 6 and 12. According to the Syrian Women's Union, in 2001 approximately 46 percent of students through the secondary level were female. Nevertheless, societal pressure for early marriage and childbearing interfered with girls' educational progress, particularly in rural areas where the dropout rates for female students remained high.

Palestinians and other noncitizens can send their children to school. Stateless Kurds can also send their children to school but because they do not have any identification, their children cannot attend state universities.

Legal age for marriage is 18 unless parents consent to marriage for children under 18.

The Government provides free medical care for citizen children until the age of 18. There was no legal discrimination between boys and girls in education or in health care.

The law provides for severe penalties for those found guilty of the most serious abuses against children. Although there were cases of child abuse, there was no societal pattern of abuse against children.

Child prostitution and trafficking in children were rare; incidents that arose mainly involved destitute orphans.

In April, human rights organizations reported that five Kurds, ages 12-13, were detained in Hassakeh Province and beaten by prison guards for 3 days (see Section 1.b.). Human rights organizations also reported multiple cases where minors detained by the security services were placed in adult prisons. HRAS reported that a 14 year-old youth was detained in 2003 after returning from Saudi Arabia. At year's end, the youth was still in detention and awaiting trial before the SSSC on charges of belonging to the Muslim Brotherhood.

#### Trafficking in Persons

There are no laws that specifically prohibit trafficking in persons; however, there were no reports that trafficking persons to, from, or within the country was a significant problem.

The Penal Code penalizes prostitution and trafficking of citizen women abroad.

#### Persons with Disabilities

The law prohibits discrimination against persons with disabilities and seeks to integrate them into the public sector work force; however, implementation remained inconsistent. In December, the Government implemented regulations reserving 4 percent of government and public sector jobs for persons with disabilities (see Section 6.e.). There are no laws that mandate access to public buildings for persons with disabilities.

#### National/Racial/Ethnic Minorities

The Government generally permitted national and ethnic minorities to conduct traditional, religious, and cultural activities; however, the Government's attitude toward the Kurdish minority remained a significant exception.

On March 12, security forces in Qamishli, in the northeastern Hassakeh province, opened fire on a crowd at a soccer match after clashes between Arab and Kurdish fans. The following day, crowds rioted in Qamishli and the security forces again opened fire on the crowd. Subsequently, riots and demonstrations spread throughout the towns and villages of the Hassakeh Province as well as to cities such as Damascus and Aleppo. Thirty-eight persons were killed during the riots, and security forces detained over 1,000 persons (see Sections 1.a., 1.c., and 1.d.).

In June 2003, 200 Kurdish school children, ages 7-12 and accompanied by their teachers and parents, organized a demonstration in front of the local UNICEF office in Damascus to ask for a restoration of citizenship and more freedoms for the Kurdish population. Eight Kurdish activists were detained for participating in the demonstration.

Although the Government stopped the practice of stripping Kurds of their citizenship (some 120,000 lost their nationality under this program in the 1960s), it never restored the nationality to those who lost it earlier. As a result, those who lost their nationality, and their children, remained unable to obtain passports, or even identification cards and birth certificates. Without citizenship, these stateless Kurds, who, according to UNHCR estimates, number approximately 200,000, were unable to own land, were not permitted to practice as doctors or engineers, were denied government employment, were ineligible for admission to public hospitals and public universities, had no right to vote, and could not travel to and from the country. They also encountered difficulties in enrolling their children in school, and in some cases, in registering their marriages. In May, President Asad stated that the Government was committed to deal with the citizenship issue and that Kurdish citizens were an integral part of the national fabric. Despite these statements, there was no progress made toward these government commitments by year's end.

Although the Government contended that there was no discrimination against the Kurdish population, it placed limits on the use and teaching of the Kurdish language. It also restricted the publication of books and other materials written in Kurdish (see Section 2.a.), Kurdish cultural expression, and, at times, the celebration of Kurdish festivals. The Government tacitly accepted the importation and distribution of Kurdish language materials, particularly in the northeast region where most of the Kurds in the country resided. The Supreme State Security Court tried some members of the Kurdish community for expressing support for greater Kurdish autonomy or independence (see Section 2.a.).

#### Section 6 Worker Rights

##### a. The Right of Association

The Constitution provides for the right of association; however, in practice, workers were not free to establish unions independent of the Government. All unions must belong to the General Federation of Trade Unions (GFTU), which was dominated by the Ba'th Party and was a part of the State's bureaucratic structure. As an information channel between political decision-makers and workers, the GFTU transmitted instructions downward to the unions and workers while also conveying information to decision-makers about worker conditions and needs. The GFTU advised the Government on legislation, organized workers, and formulated rules for various member unions, controlling nearly all aspects of union activity. The GFTU president is a senior member of the Ba'th Party, and he and his deputy may attend cabinet meetings on economic affairs.

There were no reports of anti-union discrimination. Since the unions were part of the Government's bureaucratic structure, the law protects them from anti-union discrimination. The GFTU is affiliated with the Damascus-based International Confederation of Arab Trade Unions.

All lawyers wishing to practice law in court must belong to the Syrian Bar Association, whose leadership is dominated by Ba'ath Party members. In February 2003, the Government expelled two lawyers from the Bar Association because of their human rights activities, which included defending high profile human rights cases and calling for an end to human rights abuses.

#### b. The Right to Organize and Bargain Collectively

The law provides for the right to form unions and to bargain collectively; however, these rights did not exist in practice. Government representatives were part of the bargaining process in the public sector. In the public sector, unions did not normally bargain collectively on wage issues, but there has been some evidence that union representatives participated with representatives of employers and the supervising ministry in establishing minimum wages, hours, and conditions of employment. This was a positive development insofar as it indicated respect for the ILO's "Social Partners" tripartite formula. Workers served on the boards of directors of public enterprises, and union representatives always were included on the boards.

The law provides for collective bargaining in the private sector, although past repression by the Government dissuaded most workers from exercising this right.

Following an increase in the salaries of public sector employees in 2003 and despite several meetings that were held between officials from the Ministry of Labor, GFTU, and representatives from the Federation of the Syrian Chambers of Commerce and Industry, private employers were not forced to increase salaries and wages of their employees. However, similar meetings in 2004 succeeded in stipulating an increase in the salaries and wages of private sector employees, though the increase was symbolic.

Unions have the right to litigate disputes over work contracts and other workers' interests with employers and were able to ask for binding arbitration. In practice, labor and management representatives settled most disputes without resort to legal remedies or arbitration. Management had the right to request arbitration, but that right seldom was exercised. Arbitration occurred when a worker initiated a dispute over wages or severance pay. Arbitration authority was vested in the Ministry of Justice Administrative Petition Court. In practice, this court did little more than certify agreements and plays little role in actually arbitrating disputes, as such disputes did not occur with any regularity.

The law does not prohibit strikes; however, previous government crackdowns deterred workers from striking. During the year, there were no strikes.

There are no unions in the seven free trade zones (FTZs). Firms in the zones are exempt from the laws and regulations governing hiring and firing, although they must observe some provisions on health, safety, hours, and sick and annual leave. Ninety percent of the workers in the FTZs are citizens of the country.

#### c. Prohibition of Forced or Compulsory Labor

There is no law prohibiting forced or compulsory labor, including that performed by children, and there were no reports of forced or compulsory labor by children, or forced labor involving foreign workers or domestic servants. Forced labor has been imposed as a punishment for some convicted prisoners.

#### d. Prohibition of Child Labor and Minimum Age for Employment

The Labor Law provides for the protection of children from exploitation in the workplace; however, the Government permitted child labor in some instances. The private sector minimum age for employment is 15 years for most types of nonagricultural labor, and 18 years for heavy work. Working hours for youths of legal age are set at 6 hours per day. Youths are not allowed to work during night shifts nor during the weekend or official holidays. In all cases, parental permission is required for children under the age of 16. The law prohibits children from working at night; however, the law applies only to children who work for a salary. Those who worked in family businesses and who technically were not paid a salary—a common phenomenon—did not fall under the law. Children under 15 are prohibited by law from working in mines, at petroleum sites, or in other dangerous fields. Children are not allowed to lift, carry, or drag heavy objects. The exploitation of children for begging purposes also is prohibited.

The Government claimed that the expansion of the private sector has increased child labor. Independent information and audits regarding government enforcement were not available again this year. The majority of children under age 16 who worked did so for their parents in the agricultural sector without remuneration. In a 2002 study, UNICEF found that 18 percent of children under the age of 18 participated in the labor force.

The Ministry of Labor and Social Affairs monitored employment conditions for persons under the age of 18, but it did not have enough inspectors to ensure compliance with the laws. The Ministry has the authority to specify the industries in which children

15 and 16 years of age may work. The Labor Inspection Department performed unannounced spot checks of employers on a daily basis to enforce the law; however, the scope of these checks was unknown. The law does not prohibit forced or compulsory labor by children; however, such practices were not known to occur.

#### e. Acceptable Conditions of Work

The Minister of Labor and Social Affairs is responsible for enforcing minimum wage levels in the public and private sectors. In May, the Government increased public sector minimum wages by 20 percent to just over \$100 per month, plus other compensation (i.e., meals, uniforms, and transportation). In July, the Government announced a 20 percent increase in private sector minimum wages to 3,500 Syrian pounds (\$70) per month. These wages did not provide a decent standard of living for a worker and family. As a result, many workers in both the public and private sectors took additional jobs or were supported by their extended families.

In February, the Government changed from a 6 to a 5-day workweek for all public sector employees. According to official government statistics, the public sector employs 867,000 persons, or 16 percent of the workforce.

Rules and regulations severely limit the ability of an employer to dismiss employees without cause. Even if a person is absent from work without notice for a long period, the employer must follow a lengthy procedure of attempting to find and notify the person, including through newspaper notices, before he is able to take action against the employee. Dismissed employees have the right of appeal to a committee of representatives from the union, management, the Ministry of Labor and Social Affairs, and the appropriate municipality. Such committees usually found in favor of the employee. Dismissed employees are entitled to 80 percent of salary benefits while the dispute is under consideration. No additional back wages are awarded should the employer be found at fault, nor are wage penalties imposed in cases in which the employer is not found at fault.

In December, President Asad signed the newly amended "Basic Labor Law." The Law stipulates that public sector entities must reserve 4 percent of government and public sector jobs for persons with disabilities (see Section 5). In addition, the law granted employees judicial recourse to appeal dismissals. A committee formed by the Minister of Justice, the Minister of Labor, and the Chief of the Central Commission for Inspection and Control may make a decision to dismiss an employee, stating the reasons behind the decision. This decision has to be ratified by the Prime Minister.

The law does not protect temporary workers who are not subject to regulations on minimum wages. Small private firms and businesses employed such workers to avoid the costs associated with hiring permanent employees. The law mandates safety in all sectors, and managers were expected to implement them fully. In practice, there was little enforcement without worker complaints, which occurred infrequently despite government efforts to post notices regarding safety rights and regulations. Large companies, such as oil field contractors, employed safety engineers.

Officials from the Ministries of Health and Labor are designated to inspect work sites for compliance with health and safety standards; however, such inspections appeared to be sporadic, apart from those conducted in hotels and other facilities that catered to foreigners. The enforcement of labor laws in rural areas were more lax than in urban areas, where inspectors were concentrated. Workers may lodge complaints about health and safety conditions, with special committees established to adjudicate such cases. Workers have the right to remove themselves from hazardous conditions without risking loss of employment.

The law provides protection for foreign workers who reside legally in the country, but not for illegal workers. There were no credible estimates available on the number of illegal workers in the country.